

Remarks

Claims 1-21 were pending for examination. Applicant has amended Claims 1, 8 and 14. Claims 1-21 remain pending.

Claims Rejections - §103

Various subgroups of claims were rejected as obvious over the combination of Maggenti US 2003/0012149, in view of Szurkowski US Patent 6,417,933, and further in view of Crockett US 2003/0153339. Claims 4 and 17 were rejected over the same combination and further in view of Kaneko US 2005/0221842. Claims 20-21 were rejected over the same combination and further in view of Crockett US 2003/0154249. In the interests of furthering prosecution, applicant's undersigned attorney and the first named inventor held an interview with the examiner as described below.

Interview Summary and Amended Claims

On October 8, 2008, the undersigned attorney and the first named inventor, Douglas Ranalli, held a personal interview with Examiner Wendell to discuss the prior art. Applicant provided the attached "USPTO Office Action Response – Background Material" which reviews the examiner's assumptions regarding the prior art, and applicant's points distinguishing the prior art. After reviewing the same, the Examiner suggested that applicant amend the claims to more clearly recite the differences as argued over the prior art.

Applicant submits herewith amendments to each of the independent method and apparatus claim 1, 8 and 14. These amendments are believed to clarify the environment in which the invention is operative, which may be considered as having been implied in the original claim language but now made express. If the examiner has any questions concerning these amendments, he is respectfully requested to contact the undersigned attorney.

The principal references, Maggenti and Crockett 339, are discussed in the attachment. The remaining references, Szurkowski, Kaneko and Crockett 249, were discussed and distinguished in applicant's prior responses; to the extent necessary, applicant relies on without repeating these prior arguments.

In summary, the primary reference Maggenti requires registration of the CD in order to communicate in the PTT session. The secondary reference Szurkowski, does not relate to PTT service, but rather describes a teleconferencing and facsimile communication system. The primary and secondary references cannot properly be combined as the references themselves teach against such a combination. Maggenti (paragraphs 0036-37) distinguishes a conference call system (Szurkowski) as being inapplicable to (Maggenti's) group communications (i.e. arbitrated PTT communications system allowing group communications between CD's and authorized net members based on a net membership and registration list maintained by CM218). The third reference, Crockett 339 extends a PTT service to enable a registered user to dynamically add a new CD to an existing group communication session with a caveat that the new user must be pre-registered with the CM (a regionalized PTT application server infrastructure). Thus, the combination still requires registration of the CD's. The fourth reference Kaneko is simply relied on for teaching that a SIP-URI can be further resolved into an IP address and port number for receiving PTT sessions at the destination network. This fails to cure the deficiencies of the other references. Similarly, Crockett 249, like Crockett 339 and Maggenti (all having common inventors and all owned by Qualcomm), describe the same type of system in which the CD's must all be registered with the PTT service provider system.

Thus, applicant submits that the cited references fail to teach or suggest the subject matter claimed by applicant.

Reconsideration

It is believed that all claims of the present application are now in condition for allowance.

Reconsideration of this application is respectfully requested. If the Examiner believes that a teleconference would expedite prosecution of the present application the Examiner is invited to call the Applicant's undersigned attorney at the Examiner's earliest convenience.

Any amendments or cancellation or submissions with respect to the claims herein is made without prejudice and is not an admission that said canceled or amended or otherwise affected subject matter is not patentable. Applicant reserves the right to pursue canceled or amended subject matter in one or more continuation, divisional or continuation-in-part applications.

To the extent that Applicant has not addressed one or more assertions of the Examiner because the foregoing response is sufficient, this is not an admission by Applicant as to the accuracy of such assertions.

Respectfully Submitted,

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USPTO Office Action Response – Background Material

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Douglas J. Ranalli

Examiner's Core Assertion from prior art:

"Maggenti **does** teach having PTT functionality and not registered for PTT service ("users of other communication systems", abstract, Sections 0015, and 0203-0343). If the user is on another system it is not registered and then the manager allows for them to join a PTT session. However, to further clarify this limitation Crockett will be used to teach this limitation.

Crockett teaches having PTT functionality (section 0013) and not registered for PTT service ("adding a new member to an active group call", claim 1: Sections 0010-0017).

Ranalli's Core Assertion from same prior art:

Ranalli's core assertion from looking at the same prior art is that Maggenti, Crockett and Ranalli all teach valuable, but different, extensions to the same baseline PTT service. Please consider the following analysis:

Maggenti:

Maggenti starts from the assumption that PTT services exist for communications devices (CDs) on a CDMA mobile network (Sections 0002 – 0009) and then extends the state of the art by describing how the PTT system can be extended to include users/endpoints/devices (CDs) on other types of communications networks or technologies (GSM, PSTN, Internet, etc.).

By extending the PTT system to include users/endpoints/devices on different types of networks (GSM, PSTN, Internet), Maggenti teaches a valuable enhancement to the PTT system with the caveat that all CDs (regardless of network type) must still be pre-registered with a communications manager (CM). Maggenti's innovation is the integration of different types of CDs into the PTT system. Having said this, all of the CDs in the Maggenti PTT system must register with the communications manager (CM) within the system.

Consider the following evidence pulled from Maggenti.

[0032] – The data packets are transmitted to a data network, and are then provided to a communications manager (CM) connected to the data network. The CM processes data packets from a first CD and distributes the data packets in real-time to at least one other CD who is a member of the same **predefined** net as the first CD. The CM acts as a configurable switch able to route communications from **any net member to other net members** defined by the net.

Comment: pre-registration of every CD (regardless of network type) is assumed by Maggenti.

[0073] – In order to participate in a specific net, CD initially requests that CM add CD to a list of connected net participants for the desired net. The term "connected" means those users who have **registered with CM** and are at least receiving communications occurring in a net.

Comment: pre-registration of every CD (regardless of network type) is assumed by Maggenti.



Crockett:

Crockett (US 2003/0153339) starts from the assumption that PTT services exist for communications devices (CDs) located on multiple types of networks and from that point Crockett goes on to describe how the call manager (CM) function of the group communication service can be implemented as a set of regionalized application server components (dispatcher, location server, media control units and clients) for scalability purposes. Crockett seeks to extend the state-of-the art by describing how new users can be dynamically added to an active call. Having said this, the Crockett PTT service still makes the core assumption that all "users" are pre-registered with a regionalized application server infrastructure (CM). Consider the following evidence from Crockett:

[0039] ... The regionalized application server components (dispatcher, location-server, MCUs) provide **user-registration**, intra-regional call setup and management, and alert initiation and delivery for the users, which are **registered in the region**.

[0040] The group communication devices (clients) 120, 122, ...requests a packet data session... and uses this session to **register its IP address with the application server** (*"regional application server infrastructure"*) and to perform group call initiations. In one embodiment, the application server components 108, 110 are connected to the service provider's packet data service notes.

Comment: Crockett describes a mechanism whereby new "users" can be dynamically added to an active call in a group communications system but the assumption is that every "user" is pre-registered with a regional application server infrastructure (CM). As further evidence, consider what happens when an attempt is made to add a "user" that is located outside of a given regional application server infrastructure.

[0116] Group Call Initiation

[0117] **After registration is complete**, the user may make or receive calls.

[0118] ... At this point, the regional dispatcher attempts to locate the target users in the member list, e.g. by scanning the regional dispatcher's cache of user information. If the targets are located within the regional dispatcher's cache, the members of the group may be registered within the same region as the regional dispatcher. This type of group call is labeled an "intra-regional" call. If there are users which the regional dispatcher was unable to locate, the regional dispatcher may request assistance from the home dispatcher to locate the users.

Comment: All of the "users" within the Crockett PTT system are registered with a given regional application server node (CM). If two users are within the same regional node then no external data lookup is required. If a "user" is not known to the originating regional node then the regional dispatcher looks to the home dispatcher for an expanded set of pre-registered users (i.e. users registered with a different regional note). Crockett has described a means of regionalizing the system but the underlying assumption of pre-registration with a CM remains intact.

Ranalli:

Ranalli starts from the assumption that PTT services exist for communications devices (CDs) located on multiple types of networks (see Figure 1) and then extends the state of the art by describing how the PTT system can be enhanced by including optional communication with users/endpoints/devices (CDs) not registered with a CM (PTT server).

By extending the PTT system to include users/endpoints/devices that are not pre-registered with a CM (PTT server), Ranalli teaches a valuable enhancement to the PTT system/service with the caveat that a mechanism must exist for a pre-registered CD to establish a session with an unregistered CD.



Ranalli teaches a mechanism for extending the functionality of the CM (PTT server) to include a query to an external database to dynamically discover the existence of an unregistered CD using a unique identifier.

Summary:

Maggenti extends the PTT service to include CDs located on different types of networks (PSTN, GSM, Internet, etc.) with the caveat that every CD within the system is pre-registered with a communications manager (CM), regardless of network technology.

Crockett extends the PTT service to enable a user to dynamically add a new CD to an existing group communication session with the caveat that the new user must be pre-registered with a CM (regionalized application server infrastructure).

Ranalli extends the PTT service to enable the dynamic discovery of additional CDs not registered with any CM (PTT server). The Ranalli innovation opens the option to integrate millions of users/endpoints (CDs) into the PTT system that do not bear the cost burden associated with being registered for service with a PTT server (centralized or regionalized CM).